

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Prisons Services - Sri B. Raja Mahesh, Jailor, O/o the District Sub-Jails Officer, Eluru, West Godavari District - Appeal Petition against the " postponement of increments by two years with adverse effect in future increments and pension - Modification of Punishment - Orders - Issued.

HOME (PRISONS. A) DEPARTMENT

G.O. Ms. No. **210**

Date: 31-03-2009

Read the following:-

- 1) From the DG&IGP&CS., AP., Hyderabad, Letter No. EA2/506/2008, dated 01-12-2008.
- 2) Concurrence of the CEO & E.O., Principal Secretary to Government, G.A. (Elections) Department, dated 23-03-2009.

ORDER :

The DG&IGP&CS., AP., Hyderabad, in the reference read above, has forwarded the Appeal Petition, dated 28-07-2008, filed by Sri B. Raja Mahesh, Jailor, O/o the District Sub-Jails Officer, Eluru, West Godavari District, against the punishment of "postponement of increments by two years with adverse effect in future increments and pension" awarded by the DG&IGP&CS., AP., Hyderabad, vide his proceedings No. EA2/785/2006, dated 26-06-2008.

2. Sri B. Raja Mahesh, while working as Jailor at Central Prison, Visakhapatnam, was proceeded with the disciplinary action under Rule 20 of A.P. Civil Services (CC&A) Rules, 1991, for the following Articles of Charge issued by the DG&IGP&CS., AP., Hyderabad, vide Memo No. EA2/785/2006-1, dated 07-03-2007.

- (I) That the said Sri B. Raja Mahesh, Jailor, while working in Central Prison, Visakhapatnam, has failed to maintain absolute integrity, discipline, impartiality, in discharge of his duties and he is in the habit of encouraging some prisoners to revolt against certain officers and staff by harassing them to get undue advantage and thereby violated Sub-Rule-1 of Rule-3 of A.P. Civil Services (Conduct) Rules, 1964.
- (II) That the said Sri B. Raja Mahesh, Jailor, resorted to make a complaint against Late P. Madhava Rao, former Jailor, Central Prison, Visakhapatnam, vindicating his acts as such, expecting life threats from the late Jailor and to have recourse without exhausting departmental remedies for redressal of his grievances if any, thereby violated Rule-95 of A.P. Prisons Rules 1979.

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- (III) That the said Sri B. Raja Mahesh, Jailor, has indulged in activities detrimental to day to day administration of security institution, by harassing some prisoners to get undue advantage by abusing his official position, causing much inconvenience to the administration, in violation of Rule-104 of A.P. Prisons Rules, 1979, Vol.-I.
- (IV) That the said Sri B. Raja Mahesh, Jailor, has failed to discharge his duties with discipline, absolute integrity and more so acted in a manner which is unbecoming of an employee or derogatory to the prestige of Government in violation of Rule-3 of A.P. Civil Services (Conduct) Rules, 1964.

3. The DG&IGP&CS., AP., Hyderabad, has appointed Sri A. G. Sainath Reddy, Superintendent, Central Prison, Rajuhmundry, as the Inquiry Authority to conduct enquiry into above charges framed against Charged Officer. The Enquiry Officer has submitted his report on 16-11-2007 holding that the charges II & IV as proved and charges I & III as not proved. The DG&IGP&CS., AP., Hyderabad, being a disciplinary authority, has taken into consideration the charge I as proved, on differing with the findings of Enquiry Officer.

4. The DG&IGP&CS., AP., Hyderabad, after following the due procedure laid down in Andhra Pradesh Civil Services (CC&A) Rules, 1991, has awarded the punishment of "postponement of increments by two years with adverse effect in future increments and pension" to the delinquent officer vide his proceedings No. EA2/785/2006, dated 26-06-2008.

5. Aggrieved by the above punishment, Sri B. Raja Mahesh, Jailor, has filed appeal petition before the Government on 28-07-2008 and requested to set aside the order of punishment on the grounds adduced therein.

6. Government, after careful examination of the revision petition filed by Sri B. Raja Mahesh, Jailor, O/o the District Sub-Jails Officer, Eluru, West Godavari District, and after verifying the relevant records relating to the case, has found that the Enquiry Officer held the charges II & IV as proved and I & III as not proved against the incumbent. Regarding the imputations for charge II, the intended complaint addressed to Commissioner of Police, Visakhapatnam, against Late P. Madhavarao, Jailor, was not sent to him directly and only handed over to the Superintendent, Central Prison, Visakhapatnam. The Disciplinary Authority has not appointed Presenting Officer in this case under rule 20 (5) (c) of A.P. Civil Services (CC&A) Rules, 1991, without assigning any reasons.

7. Government, after taking into consideration the facts of the case, have decided to modify the punishment of "postponement of increments by two years with adverse effect in future increments and pension" imposed by the DG&IGP&CS., AP., Hyderabad, against Sri B. Raja Mahesh, Jailor, O/o the District Sub-Jails Officer, Eluru, West Godavari District, to that of "Postponement of increment for one year without cumulative effect".

8. Accordingly, the Government hereby order modifying the punishment of "postponement of increments by two years with adverse effect in future increments and pension" imposed against Sri B. Raja Mahesh, Jailor, by the DG&IGP&CS., AP., Hyderabad, vide proceedings No. EA2/785/2006, dated 26-06-2008, to that of "Postponement of increment for one year without cumulative effect".

9. The DG&IGP&CS., AP., Hyderabad, shall take necessary action in the matter accordingly.

10. The records furnished by the DG&IGP&CS., A.P., Hyderabad, in the reference read above, are returned herewith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF THE ANDHRA PRADESH)

AJOYENDRA PYAL
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director General & Inspector General of Prisons,
& Correctional Services Andhra Pradesh,
Hyderabad. (with records containing 1064 pages)

The individual **through** the DG&IGP&CS.,
A.P., Hyderabad.

The District Sub-Jails Officer,
Eluru, W.G. District.

The Superintendent of Jails, Central Prison,
Visakhapatnam.

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER